

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Federal-State Joint Board on Universal Service)	CC Docket 96-45
)	
TRACFONE WIRELESS, INC.)	
)	
Petition for Designation as an)	
Eligible Telecommunications Carrier)	
In the State of New York)	

**REPLY TO COMMENTS ON THE PETITION
SUBMITTED BY
NEW YORK PUBLIC INTEREST RESEARCH GROUP
MFY LEGAL SERVICES
EMPIRE STATE CONSUMER ASSOCIATION
STUDENTS FOR SOCIAL JUSTICE - UNIVERSITY OF ROCHESTER
CHAPTER
RAINBOW PRIDE UNION
HARPUR JAZZ PROJECT
HIGHER EDUCATION COORDINATING COUNCIL
THE WOMEN’S CENTER OF QUEENS COLLEGE**

Over the last quarter century there has been explosive growth in consumer telecommunications services. With advances in Internet, cable and wireless technologies today’s consumers have access to a vast array of telecommunications. However, there is a growing divide as to who can access these technologies. Increasingly, access is determined by cost, rather than location.

In today’s world, wireless communications are here to stay. There is an increasing number of consumers who have chosen to “cut the cord.” In the foreseeable

future it is conceivable that for a segment of the low-income consumer marketplace wireless communications will be the only choice. It is not uncommon for low-income consumers to have an exceedingly long commute, multiple jobs, or both. For some of these consumers, a low-cost Lifeline landline phone is largely useless if the only time they can utilize it is during the hours that they sleep.

Given the realities of the wireless marketplace, resellers will inevitably offer competing, and at times, superior services. One of the key advantages that resellers can offer consumers is nearly universal wireless access. While many other wireless providers can offer wireless access through a competitor's network, there are often hidden, confusing and times erroneous charges associated with "roaming" and "off-network" charges. Resellers, and particularly, pre-paid resellers can offer access to multiple networks with a low, uncomplicated price structure.

Wireless providers inherently compete with wired-line providers and they can offer a substantially different service, which for a portion of the market is a superior choice. Low-income consumers deserve the choice of wired versus wireless Lifeline service. This choice should be one that easy to use, requires no contracts, and offers a wide coverage area. Properly regulated wireless re-sellers can offer this service.

It is in the public interest to grant eligible telecommunications carrier status to wireless providers who resell properly regulated services. Low-income consumers should have access to low-cost, easy to understand, and flexible wireless telecommunications services. Clearly, pre-paid resellers can provide an indispensable service to an ever-growing portion of the low-income consumer telecommunications market.

DATED: Aug. 9, 2004

RESPECTFULLY SUBMITTED,

Rebecca Weber
Executive Director
New York Public Interest Research Group
9 Murray St., 3rd Floor
New York, NY 10007

Andrew Goldberg
Supervising Attorney
MFY Legal Services, Inc.
299 Broadway
New York, NY 10007

Judy Braiman
President
Empire State Consumer Association
50 Landsowne Lane
Rochester, NY 14618

Arthur Goldfeder
Business Manager
Students for Social Justice
University of Rochester Chapter
48 Dale Rd.
Rochester, NY 14625

Amie Baracks
Co-Director
Rainbow Pride Union
Binghamton University
Binghamton, NY 13902

Cara Rohrer
Outreach Director
Harpur Jazz Project
Binghamton University
Binghamton, NY 13902

Josh Hyman
President
Higher Education Coordinating Council
SUNY Geneseo
1 College Circle
Geneseo, NY 14454

Victoria Seira
The Women's Center of Queens College

57-45 163rd Street
Flushing, NY 11365